

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROBERT BUCKINGHAM,)	
)	
Plaintiff,)	
)	
v.)	No. 12-2985
)	
ALLY FINANCIAL and DOES 1-20,)	
)	
Defendants.)	

ORDER

Before the Court is Plaintiff Robert Buckingham's ("Buckingham") July 24, 2013 Objection to Magistrate Judge Tu M. Pham's Report and Recommendation for Sua Sponte Dismissal ("Report"). (Obj., ECF No. 8.) Magistrate Judge Pham entered the Report on June 25, 2013. (Report, ECF No. 6.) The Court adopted Magistrate Judge Pham's Report and dismissed Buckingham's Complaint on July 24, 2013. (Order, ECF No. 7.)

Buckingham's Objection is not well taken. First, Buckingham's Objection is untimely. As stated in Magistrate Judge Pham's Report, Buckingham had fourteen days from the date of service of Report to file written objections. (Report 22.) He did not do so. Buckingham was advised that "failure to file objections within fourteen (14) days may constitute a waiver of objections, exceptions, and further appeal." (Id.) The Court

did not receive Buckingham's Objection until after the Order adopting the Magistrate Judge's Report had been entered. (See generally ECF docket, Case No. 2:12-cv-2985.)

Second, considering Buckingham's untimely Objection on its merits, Buckingham has failed to specifically object to at least one of Magistrate Judge Pham's dispositive conclusions of law. As discussed in the Court's Order, a district court is not required to review – under a de novo or any other standard – those aspects of a report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The district court should adopt the findings and rulings of the magistrate judge to which no specific objection is filed. Id. at 151.

Magistrate Judge Pham concluded that dismissal of Buckingham's case was appropriate because, among other grounds, the Court did not have subject matter jurisdiction over Buckingham's claims. (Report 16-22.) Buckingham does not object to Magistrate Judge Pham's conclusion that the Court does not have subject matter jurisdiction to hear this case, and Arn counsels the Court to adopt Magistrate Judge Pham's recommendation that the case be dismissed on that ground.

For the foregoing reasons, Buckingham's Objection is OVERRULED. This action is DISMISSED sua sponte for want of jurisdiction.

So ordered this 25th day of July, 2013.

s/ Samuel H. Mays, Jr._____
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE